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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,486	09/25/2003	Danny Biby	199-0018US-D	8001
29855 7590 11/14/2007 WONG, CABELLO, LUTSCH, RUTHERFORD & BRUCCULERI, L.L.P. 20333 SH 249 SUITE 600 HOUSTON, TX 77070			EXAMINER NGUYEN, PHUOC H	
			ART UNIT 2143	PAPER NUMBER
			MAIL DATE 11/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/670,486

Applicant(s)

BIBY ET AL.

Examiner

Phuoc H. Nguyen

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 30-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-18 and 30-37 is/are rejected.
- 7) ☒ Claim(s) 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/25/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because the abstract is written more than 150 words in length. Correction is required. See MPEP § 608.01(b).

3. The disclosure is objected to because of the following informalities:

The applicant is advised to update information cited under the "Cross Reference to Related Applications" section in page 1 of specification.

Appropriate correction is required.

Claim Objections

4. Claims 3-4, 7-8, 10-11, 14-16, 18, 31, 33, and 36-37 are objected to because of the following informalities:

Re claim 3, it is depending on its self. For examination purposes, the examiner considers claim 3 is dependent on the base claim 1.

Re claim 4, the applicant is advised to write the acronym "COM" in full for clarification. Similar objection would also apply to claims 10-11, 14-15, 18, 31, and 33.

Re claim 7, the applicant is advised to write the acronym "URL" in full for clarification. Similar objection would also apply to claims 8, 16, and 36-37.

Re claim 17, the applicant is advised to write the acronym "ASP" in full for clarification.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 17, the term "can" in line 1 is a relative term, which renders the claim indefinite. The term "can" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably appraised of the scope of the invention.

Thus, claim 18 is also rejected for being dependent on the rejected base claim 17.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-11, 13-18, and 30-37 are rejected under 35 U.S.C. 102(b) as being anticipated by et al. (U.S. 6,317,777).

Re claim 1, Skarbo et al. disclose in Figures 1-2 and 7-9 a system for providing a semi real-time, automatically-updateable web page (e.g. abstract and Figure 9 as the real-time conference system), the system comprising: a web server (e.g. server side 100 in Figure 1B); a client computer device having a display and a web browser (e.g. client side 104 in Figure 1B); a server script running on the web server, the server script being operative to receive data information from a data information source and generate a client script based, at least in part, on the data information, and download the client script to the client computer device (e.g. col. 3 lines 30-55, col. 6 lines 37-44, and col. 7 lines 25-35); and the web browser running on the client computer device being operative to enable the client computer device to interface with the web server through a network, the web browser receiving the client script from the web server and running the client script, whereby the display of the client computer device is updated to display the data information (e.g. Figures 1-2, col. 2 lines 51-63, and col. 4 lines 16-26).

Re claim 2, Skarbo et al. further disclose in Figures 1-2 and 7-9 the server script runs in a loop (e.g. by Figures 5-6).

Re claim 3, Skarbo et al. further disclose in Figures 1-2 and 7-9 the server script runs in a loop (e.g. by Figures 5-6) and the server script is operative to download the client script to the client computer device, every cycle of the loop, only when new data information has been

received, whereby using the loop keeps an on going connection between the web server and the client (e.g. Figure 2).

Re claim 4, Skarbo et al. further disclose in Figures 1-2 and 7-9 the server script is operative to receive data information from a data information source by placing a call to a COM application (e.g. col. 7 lines 25-35).

Re claim 5, Skarbo et al. further disclose in Figures 1-2 and 7-9 the COM application runs on the web server (e.g. col. 7 lines 25-35).

Re claim 6, Skarbo et al. further disclose in Figures 1-2 and 7-9 the COM application runs on the web server and provides an interface to an external device from which to obtain the data information (e.g. Figures 1 and col. 7 lines 25-35).

Re claim 7, Skarbo et al. further disclose in Figures 1-2 and 7-9 the web browser running on the client computer device, in response to receiving a particular URL, downloads a monitoring web page from the web server, the monitoring web page defining a visible pane and an invisible pane (e.g. col. 7 lines 1-10 and lines 25-35).

Re claim 8, Skarbo et al. further disclose in Figures 1-2 and 7-9 the web browser running on the client computer device, in response to receiving a particular URL, downloads a monitoring web page from the web server, the monitoring web page defining a visible pane and an invisible pane, the invisible pane receiving the client script, the visible pane being visible on the display of the client server and being updated via the client script (e.g. col. 7 lines 1-10 and lines 25-35).

Re claim 9, Skarbo et al. further disclose in Figures 1-2 and 7-9 the network is selected from a group consisting of the Internet and intranet (e.g. network in Figures 1).

Re claim 10, Skarbo et al. further disclose in Figures 1-2 and 7-9 the web server includes a COM application and the client computer device includes a control interface and, in response to receiving a control command on the control interface of the client computer device, the web browser requests the download of a command web page, the command web page including a command server script which when executed, places a call to a COM application running on the web server, the COM application being operative to perform the control command (e.g. col. 7 lines 25-35).

Re claim 11, Skarbo et al. further disclose in Figures 1-2 and 7-9 the web server includes a COM application and the client computer device includes a control interface and, in response to receiving a control command on the control interface of the client computer device, the web browser requests the download of a command web page, the command web page including a command server script which when executed, places a call to a COM application running on the web server, the COM application being operative to send the command to be executed on another device (e.g. col. 7 lines 25-35).

Re claim 13, Skarbo et al. further disclose in Figures 1-2 and 7-9 if the COM application is not successful to perform the control command, an error web page is downloaded to the client computer device (e.g. inherently).

Re claim 14, Skarbo et al. further disclose in Figures 1-2 and 7-9 web server includes a COM application and a plurality of command server scripts, and the client computer device includes a control interface and, in response to receiving a control command on the control interface of the client computer device, the web browser requests the download of a command web page including at least one of the plurality of command server scripts, each of the plurality

of command server scripts being operative, when executed, to place a call to the COM application to perform the control command (e.g. col. 7 lines 25-35).

Re claim 15, Skarbo et al. further disclose in Figures 1-2 and 7-9 web server includes a COM application and a plurality of command server scripts, and the client computer device includes a control interface and, in response to receiving a control command on the control interface of the client computer device, the web browser requests the download of a command web page including at least one of the plurality of command server scripts, each of the plurality of command server scripts being operative, when executed, to place a call to send the command to be executed on another device (e.g. col. 7 lines 25-35).

Re claim 16, Skarbo et al. disclose in Figures 1-2 and 7-9 a client computer device supporting an updateable web page (e.g. abstract and Figure 9 as a real-time conference system), the client computer device comprising: a web server interface; a display; a control interface; a memory storage device containing a web browser; and a processing unit (e.g. Figure 1B with the server side 100 and col. 3 lines 29-55); the processing unit, in conjunction with the web browser, being operative to: receive a monitoring web page URL via the control interface (e.g. col. 4 lines 16-26 and col. 6 lines 32-44); receive the monitoring web page corresponding with the monitoring web page URL via the web server interface, the monitoring web page including an invisible pane and a visible pane (e.g. col. 5 lines 1-5), the invisible pane being operative to periodically receive a client script via the web server interface and to execute the client script whereby the information in the visible pane of the monitoring web page is automatically updated (e.g. Figures 1B and 2), the visible pane being displayed on the display device by the web browser (e.g. Figures 1 and 9).

Re claim 17, Skarbo et al. disclose in Figures 1-2 and 7-9 a method for providing an updateable web page that can provide updates of rapidly changing data to a client computer device (e.g. abstract and Figure 9 as a real-time conference system), the method comprising: retrieving a monitoring web page from a web server, the monitoring web page defining a visible pane and an invisible pane, the web server including an ASP page, the ASP page including a server script and a client (e.g. col. 3 lines 30-55, col. 6 lines 33-44, and col. 8 lines 40-58), the server script being operative to obtain status information, modify the client script in accordance with the status information, and load the client script into the invisible pane of the monitoring web page (e.g. Figures 1-2 and 9); and executing the client script, the client script being operative to modify the visible pane of the monitoring web page to display the data information (e.g. Figure 5).

Re claim 18, Skarbo et al. disclose in Figures 1-2 and 7-9 the server script is operative to obtain status information by placing a call to a COM application and receiving a response from the COM application, the COM application being operative to interface to an external device and obtain status information and provide the status information to the server script in the form of a response (e.g. col. 7 lines 25-35).

Re claim 30, Skarbo et al. disclose in Figures 1-2 and 7-9 web server for providing automatic updates to a web page displayed on a remote device (e.g. Figures 1 and 9 as the real-time conference system), the web server comprising: a network interface (e.g. component 518 in Figure 10); a memory storage device containing a program module and a COM application (e.g. component 114 in Figure 1B); and a processing unit (e.g. in the document server 100 in Figure 1A); the processing unit, in response to executing the program module, being operative to:

receive a request via the network interface to download a monitoring web page to the remote device (e.g. Figure 5); execute a looped server script, the looped server script being operative to interface with the COM application to obtain updated status information (e.g. col. 7 lines 25-35); generate a client script based, at least in part, on the updated status information; and download the client script to the remote device via the network interface (e.g. col. 3 lines 30-55 and col. 8 lines 40-58).

Re claim 31, it has same limitations cited in claim 6. Thus, claim 31 is also rejected under the same rationale as cited in the rejection of rejected claim 6.

Re claim 32, it has same limitations cited in claim 9. Thus, claim 32 is also rejected under the same rationale as cited in the rejection of rejected claim 9.

Re claim 33, it has similar limitations cited in claim 5. Thus, claim 33 is also rejected under the same rationale as cited in the rejection of rejected claim 5.

Re claim 34, it has similar limitations cited in claim 2. Thus, claim 34 is also rejected under the same rationale as cited in the rejection of rejected claim 2.

Re claim 35, it has similar limitations cited in claim 3. Thus, claim 35 is also rejected under the same rationale as cited in the rejection of rejected claim 3.

Re claim 36, it has similar limitations cited in claim 7. Thus, claim 36 is also rejected under the same rationale as cited in the rejection of rejected claim 7.

Re claim 37, it has similar limitations cited in claim 8. Thus, claim 37 is also rejected under the same rationale as cited in the rejection of rejected claim 8.

Allowable Subject Matter

9. Claim 12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,628,767

U.S. Patent No. 5,778,053

U.S. Patent No. 6,453,336

U.S. Patent No. 6,205,474

U.S. Patent No. 5,519,436

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phuoc H Nguyen
Examiner
Art Unit 2143

September 30, 2007

A handwritten signature in black ink, appearing to read 'Phuoc H Nguyen', is written over a horizontal line. The signature is stylized with a large 'P' and 'H'.